

MINUTES

MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Terry Murphy, on April 11, 2011 at 11:00 A.M., in Room 303 Capitol

ROLL CALL

Members Present:

Sen. Terry Murphy, Chair (R)
Sen. Jim Shockley, Vice Chair (R)
Sen. Shannon Augare (D)
Sen. Anders Blewett (D)
Sen. Jeff Essmann (R)
Sen. Greg Hinkle (R)
Sen. Rowlie Hutton (R)
Sen. Cliff Larsen (D)
Sen. Lynda Moss (D)
Sen. Jim Peterson (R)
Sen. Chas Vincent (R)

Members Excused: Sen. Larry Jent (D)

Members Absent: None

Staff Present: Valencia Lane, Legislative Branch
Pam Schindler, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SJ 29, 4/4/2011; SR 30, 4/4/2011

Executive Action: SJR 29-Do Pass, SR 30-Be Adopted, HB 175-Tabled

HEARING ON SR 30

Opening Statement by Sponsor:

(Sen. Hinkle assumes the role of Chairman)

00:07:45 Sen. Terry Murphy (R), SD 39, opened the hearing on SR 30, Confirm district court judge appointee.

Proponents' Testimony:

00:09:06 Vivian Hamill, Chief of Staff, Office of the Governor

Opponents' Testimony:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

None

Closing by Sponsor:

00:10:13 Sen. Murphy

(Sen. Murphy resumes the role of Chairman)

HEARING ON SJR 29

Opening Statement by Sponsor:

00:11:08 Sen. Greg Hinkle (R), SD 7, opened the hearing on SJR 29, Request interim study of restorative justice.

Proponents' Testimony:

00:13:39 Sen. Christine Kaufmann (SD 41), Helena, Montana

00:17:45 Niki Zupanec, American Civil Liberties Union (ACLU)

00:18:33 Jana Suchy, Way Out West Creative

EXHIBIT(jus80a01)

Opponents' Testimony:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

None

Closing by Sponsor:

00:22:49 Sen. Hinkle

00:24:27 Recess

00:33:48 Resume

(Sen. Blewett, Sen. Peterson, Sen. Vincent absent from room)

EXECUTIVE ACTION ON SR 29

00:33:57 **Motion/Vote:** Sen. Hinkle moved that **SJR 29 DO PASS**. Motion carried unanimously by roll call vote. Sen. Blewett, Sen. Jent, Sen. Peterson and Sen. Vincent voted by proxy.

EXECUTIVE ACTION ON SR 30

00:35:02 **Motion:** Sen. Larsen moved that **SR 30 BE ADOPTED**.

Discussion:

00:35:10 Sen. Hutton

00:35:31 **Vote:** Motion carried unanimously by roll call vote. Sen. Blewett, Sen. Jent, Sen. Peterson and Sen. Vincent voted by proxy.

EXECUTIVE ACTION ON HB 175

00:36:20 **Motion:** Sen. Shockley moved that **HB 175 BE CONCURRED IN.**

Discussion:

00:36:34 Sen. Essmann

00:37:00 Valencia Lane, Legislative Services Division (LSD)

00:37:16 Sen. Hinkle

00:37:47 Sen. Shockley

00:37:52 **Substitute Motion/Vote:** Sen. Larsen made a substitute motion that **HB 175 BE TABLED.** Substitute Motion carried 9-3 by roll call vote with Sen. Essmann, Sen. Jent and Sen. Murphy voting no. Sen. Blewett, Sen. Jent, Sen. Peterson and Sen. Vincent voted by proxy.

EXECUTIVE ACTION ON HB 627

00:38:55 **Motion:** Sen. Hinkle moved that **HB 627 BE CONCURRED IN.**

Discussion:

00:39:03 Sen. Essmann

00:39:47 Ms. Lane

00:40:39 Sen. Shockley

00:41:19 Ms. Lane

00:41:45 Sen. Shockley

00:42:01 Ms. Lane

00:42:51 Sen. Shockley

00:43:03 Chairman Murphy

00:43:07 Sen. Hinkle without objection **WITHDREW MOTION FOR HB 627.**

ADJOURNMENT

Adjournment: 11:44 A.M.

Pam Schindler, Secretary

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Additional Documents:

EXHIBIT([jus80aad.pdf](#))